

**SOUTH QUEENSLAND REGIONAL COMMITTEE
OF
HIGHLAND DANCING INC.**

(incorporated on 14 August 1990 under the
Associations Incorporation Act 1981)

CONSTITUTION

AND

RULES

(amended March 2021)

CONSTITUTION AND RULES

NAME

1. The name of the incorporated association will be SOUTH QUEENSLAND REGIONAL COMMITTEE OF HIGHLAND DANCING INC (SQRCHDI)

DEFINITIONS

2. (1) “written notice” means notice in a format handwritten, printed and/or communicated by electronic means.
- (2) “the Act” means the *Associations Incorporation Act 1981*.
- (3) “the Regulations” means the *Associations Incorporation Regulation 1999*.

OBJECTS

3. Subject to the condition that it in no way interferes with the business or administrative management of the Associations, Organisations and Societies represented by it, SQRCHDI will govern Scottish Highland and National Dancing in South Queensland, and its objects will be –
 - a. To effect co-ordination and co-operation between all Associations, Organisations and Societies and individuals associated with Scottish Highland and National Dancing in an area extending from the New South Wales border north to and including the city of Rockhampton and locations west along the Tropic of Capricorn.
 - b. To promote and adhere to the dance techniques and rules of the Royal Scottish Official Board of Highland Dancing (RSOBHD) and Australian Board of Highland Dancing Inc. (ABHDI).
 - c. To give counsel and assistance when required to any of the Bodies defined under subparagraph a.

POWERS

4. (1) The powers of SQRCHDI are:-
 - (a) action anything necessary or convenient in order to carry out its objectives;
 - (b) enter into contracts;
 - (c) acquire, hold, deal with and dispose of property; and
 - (d) make charges for services and facilities it supplies.
- (2) Secured and unsecured notes, debentures and debenture stock may be issued.

CLASSES OF MEMBERS

5. (1) The membership of SQRCHDI will consist of –

2.

(a) AFFILIATED ASSOCIATIONS

An Affiliated Association is one in which all Office Bearers are elected from all members of the Association, the membership of the Association not being restricted to members of any particular studio and consists of a minimum of five (5) financial members.

This class of membership also includes Examining Bodies resident in SQRCHDI area of control that exist for the purpose of conducting amateur and professional highland dancing examinations.

Each Affiliated Association may be represented by one (1) delegate and will have one (1) vote.

The numbers in this category will be unlimited.

(b) AFFILIATED REGISTERED JUDGES

All affiliated registered Judges residing in SQRCHDI area of control.

Each Affiliated Registered Judge will have one (1) vote.

The numbers in this category will be unlimited.

(c) EXISTING AFFILIATED TEACHER MEMBERS

All affiliated Teachers who were registered as members of the former unincorporated Association in respect of the year ending 30 June 1990.

Each Existing Affiliated Teacher Member will have one (1) vote.

The numbers in this category will be unlimited.

(d) NEW AFFILIATED TEACHER MEMBERS

(i) Teachers in SQRCHDI area of control who apply for affiliation and who have passed a teacher's examination recognised by the ABHDI and/or RSOBHD.

Each Member in this category will have one (1) vote.

(ii) Teachers outwith SQRCHDI area of control who have passed a teacher's examination recognised by the ABHDI and/or RSOBHD and who are admitted at the discretion of those present at a general meeting. These teachers must hold membership within their own State/Regional area of control prior to applying for membership with SQRCHDI.

Members in this category are not entitled to vote.

The number of members in this category will be unlimited.

(e) AFFILIATED COMPETITION ORGANISATIONS

An Affiliated Competition Organisation is one formed to conduct Highland Dancing competitions in accordance with RSOBHD and ABHDI rules and consists of a minimum of five (5) members.

3.

Each Affiliated Competition Organisation may be represented by one (1) delegate and will have one (1) vote.

The numbers in this category will be unlimited.

(f) HONORARY MEMBERS

- (i) Judges resident in SQRCHDI area of control who have been recognised as an Honorary Judge by either RSOBHD or ABHDI.
- (ii) Any other individuals appointed by SQRCHDI at its discretion, who, because of their outstanding contribution to Highland Dancing in SQRCHDI area of control, warrant recognition.

Each Honorary Member is not entitled to a vote and will pay no fees.

The numbers in this category will be unlimited.

- (2) Before approving the affiliation of any Association, Organisation, Society, Judge or Teacher, it must satisfy SQRCHDI that it accepts the standards and techniques of Highland Dancing as laid down by the RSOBHD.

If not so satisfied, SQRCHDI will reject the application. In the event of such a rejection, there is no right of appeal.

- (3) Before being affiliated, Teachers and Judges should submit to SQRCHDI proof of their qualification.
- (4) Before being affiliated, the Constitution of each proposed Association or Competition Organisation should be submitted to, and approved by SQRCHDI and a list of its executive members.
- (5) In regard to Affiliated Associations and Affiliated Competition Organisations, annual renewal must be accompanied by a list of that member's current executive.

MEMBERSHIP

- 6. (1) Any member who qualifies under more than one (1) category of membership will only be entitled to one (1) vote at any meeting he/she attends.
- (2) A person who, while serving on the Executive Committee, ceases to hold membership of SQRCHDI under a category set out in Clause 5 hereof, will retain membership of SQRCHDI until resignation or removal from office. This member may be re-elected to the Executive Committee at an Annual General Meeting and such re-election will constitute a continuation of membership.

MEMBERSHIP FEES

- 7. (1) Each affiliated Association, Organisation, Society, Judge or Teacher must pay an annual subscription fee to SQRCHDI as determined at the last General Meeting prior to the close of each financial year. This subscription is due on 1 July each year.
- (2) If a person holds an executive position on SQRCHDI, their affiliation fee will be waived for the year in which they hold office (excepting any mandatory fees applicable eg APRA).

GRIEVANCE MANAGEMENT

8. SQRCHDI will adopt a grievance process to allow the Executive Committee to deal with any complaints made against its members.

TERMINATION OF MEMBERSHIP

9. (1) A member may resign from SQRCHDI at any time by written notice to the Secretary. Such resignation will take effect at the time the notice is received by the Secretary. If a later date is specified in the notice, it will take effect on that date.
- (2) Any affiliated Association, Organisation, Society, Judge or Teacher who fails to pay the subscription due by 31 August in that particular year will incur a penalty of the addition of ten percent (10%) for as long as the fee remains unpaid up to a maximum period of twelve (12) months. If the fee remains unpaid after this time, such Affiliated Association, Organisation, Society, Judge or Teacher will cease to be a member or to have the right to be represented by delegate members.
- (3) Any Association, Organisation, Society, Judge or Teacher may re-affiliate with SQRCHDI in accordance with this Constitution.
- (4) If a member or its delegate –
- (a) is convicted of an indictable offence;
 - (b) fails to comply with any of the provisions of this Constitution; or
 - (c) conducts themselves in a manner considered to be injurious or prejudicial to the character or interests of SQRCHDI or the Child Protection Act 1999

SQRCHDI will determine whether his/her membership should be terminated. When determining this action, consideration should be given to whether the misdemeanour is of a sufficient nature to be detrimental to the objectives of the SQRCHDI.

- (5) A three-fourths majority of members present at any Annual General or Extraordinary General Meeting may by resolution, expel the member/delegate. However, in all cases, the member/delegate will be given at least one (1) month's written notice of the particulars of the charge and the proposed motion.
- (6) The member/delegate concerned will be given a full and fair opportunity of presenting his/her case and if SQRCHDI resolves to terminate his/her membership, it will instruct the Secretary to advise the member/delegate in writing accordingly. Membership will cease fourteen (14) days after the Secretary has communicated the determination.
- (7) Any member/delegate expelled or resigning will forfeit all claims on the funds of SQRCHDI and will not be entitled to any reimbursement of subscriptions paid.

RIGHT OF APPEAL

10. It will be open to a member/delegate to appeal to SQRCHDI against expulsion. The intention to appeal must be communicated in writing to the Secretary of SQRCHDI within fourteen (14) days after the determination has been communicated to the member.

REGISTER OF MEMBERS

11. (1) The Executive Committee must keep a Register which records the names and residential addresses of all persons admitted to membership of SQRCHDI and the dates of their admission.
- (2) Particulars must also be entered into the Register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Executive Committee or the members at any general meeting may require from time to time.
- (3) The Register will be open for inspection at all reasonable times by any member who previously applies to the Secretary.

MEMBERSHIP OF EXECUTIVE COMMITTEE

12. (1) The Office Bearers comprising President, Vice President, Assistant Secretary, Treasurer, Technical Secretary, Dancers' Registrar and Competition Registrar will all serve in an honorary capacity. The Secretary will receive payment of a nominated honorarium determined on an annual basis at the Annual General Meeting.
- (2) An Executive Committee member cannot be an undischarged bankrupt and must be at least eighteen (18) years of age.
- (3) The President, whilst holding Office must not be a Delegate or Proxy Representative for any affiliated member.
- (4) All Office Bearers must be elected by ballot at the Annual General Meeting except the Technical Secretary who is elected by the Affiliated Registered Judges. Should a vacancy occur in any one of these positions during the year, SQRCHDI may appoint some person to fill the vacancy until the next Annual General Meeting however, the position of Secretary must be dealt with in accordance with the provision of the Act.
- (5) The Members of the Executive Committee must be elected annually at the Annual General Meeting. However if that member is elected for the same position and accepts that position at five consecutive Annual General Meetings, that member will not be eligible for re-election at the next Annual General Meeting. Thereafter that member will be eligible for re-election at any subsequent Annual General Meeting for that position provided such re-election complies with the terms of this rule. Should no other nominations be received, the provisions of this clause will not apply.
- (6) At the Annual General Meeting the delegates to the ABHDI will be elected for the ensuing year; the delegates to become members of the Executive Committee if not already members of that Committee.
13. (1) Any member of the Executive Committee may resign from membership of the Executive Committee at any time by written notice to the Secretary. Such resignation will take effect at the time the notice is received by the Secretary. If a later date is specified in the notice, it will take effect on that date.
- (2) (a) An Executive Member may be removed from office at any general meeting of SQRCHDI. Such a member will be given the opportunity at this meeting to fully present his/her case. The question of removal will then be determined by the vote of the members present at the meeting.
- (b) In the event that any person is removed from office then, subject to Clause 19 hereof, there is no right of appeal.

- (3) No person serving on the SQRCHDI Executive can serve on the ABHDI Executive during the same period.

FUNCTIONS OF THE EXECUTIVE COMMITTEE

14. (1) Except as otherwise provided by these Rules and subject to resolutions of the members of SQRCHDI carried at any annual or general meeting, the Executive Committee will have the general control and management of the administration of the affairs, property and funds of SQRCHDI.
- (2) The Executive Committee may, so far as is determined by the members of SQRCHDI, exercise the following powers –
- (a) borrow, raise or secure the payment of amounts in a way the members of SQRCHDI decide;
 - (b) purchase, redeem or pay off any securities issued;
 - (c) mortgage or charge the whole or part of its property;
 - (d) issue debentures and other securities, whether outright or as security for any debt, liability or obligation of SQRCHDI;
 - (e) provide and pay off any securities issued; and
 - (f) invest in a way the members of SQRCHDI may from time to time decide.

MEETINGS OF EXECUTIVE COMMITTEE

15. (1) The Executive Committee will meet at such times as are considered necessary by the President and Secretary to exercise its functions.
- Written notice of the time and place of such meetings must be given at least seven (7) days prior to the meetings; except in the case of urgent business when a meeting may be called at shorter notice.
- (2) Subject to sub-clause (1) the Executive Committee must meet at least once in every two (2) calendar months.
- (3) The quorum for a meeting of the Executive Committee is to be five (5) members.
- (4) The President is to preside at all meetings of the Executive Committee but in his/her absence, the Vice President is to preside. In the event of both being absent, the members present are to elect a Chairperson for that meeting. The Chairperson is to give a casting vote in the case of a tie, otherwise this Chairperson must not vote.
- (5) The accepted rules of debate and conduct will apply at all meetings.
- (6) If there is no quorum within thirty (30) minutes after the time fixed for an Executive Committee meeting called on the request of members of the committee, the meeting lapses.
- (7) If there is no quorum within thirty (30) minutes after the time fixed for an Executive Committee meeting called other than on the request of the members of the committee -
- (a) the meeting is to be adjourned for at least one (1) day; and

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- (b) the members of the Executive Committee who are present are to decide the day, time and place of the adjourned meeting.
 - (8) If, at an adjourned meeting mentioned in sub-clause (7), there is no quorum within thirty (30) minutes after the time fixed for the meeting, the meeting lapses.
 - (9) The Executive Committee may delegate any of its powers to a sub-committee consisting of those members of SQRCHDI as the Executive Committee sees fit. Any sub-committee formed must adhere to any regulations imposed on it by the Executive Committee whilst exercising its powers of delegation.
16. Any action taken by any meeting of the Executive Committee or a sub-committee, or by any person acting as a member of these committees, will stand. This is irrespective of if it is afterwards discovered that there was some defect in their appointment.

ANNUAL GENERAL OR GENERAL MEETINGS

17. (1) An Annual General Meeting must be held within three (3) months of the close of the financial year. The Secretary must give all members at least five (5) weeks written notice of the date fixed.
- (2) The business to be transacted at every Annual General Meeting must be -
- (a) the receiving of relevant reports from members of the Executive Committee and the statements of:
 - (i) income and expenditure
 - (ii) assets and liabilities
 - (iii) mortgages
 - (iv) charges and
 - (v) securitiesaffecting the property of SQRCHDI for the preceding financial year;
 - (b) the receiving of the auditor's report of the books and accounts for the preceding financial year;
 - (c) the election of members of the Executive Committee;
 - (d) the appointment of an auditor; and
 - (e) ratify fees for the ensuing year.
18. General meetings of SQRCHDI must be held at least three (3) times yearly, when considered necessary by the President and Secretary. If the time and place for the general meeting is not fixed at the previous SQRCHDI meeting, the Secretary must give all members at least seven (7) days written notice of such meeting.
19. The President must convene an Extraordinary General Meeting when requested in writing by four (4) members to do so, and such meeting is to be held within twenty-one (21) days of such request being made. The President must give at least seven (7) days written notice to all members of the meeting. A request for an Extraordinary General Meeting must include a statement of the nature of the business, and the wording of any related motion to be submitted to that meeting and no other

business is to be finalised at that meeting. This rule does not apply to any meeting held for the purpose of amendment to the Constitution and Rules.

20. Nine (9) members present will constitute a quorum. If there is no quorum within thirty (30) minutes after the time fixed for the commencement of any meeting, that meeting will lapse.
21. Unless otherwise provided by these Rules, at every general meeting -
- (1) The President is to preside at all meetings but in his/her absence, the Vice President is to preside. In the event of both being absent, the members present are to elect a Chairperson for that meeting. The Chairperson is to give a casting vote in the case of a tie, otherwise this Chairperson must not vote.
 - (2) The accepted rules of debate and conduct will apply at all meetings.
 - (3) All Members of Affiliated Associations and of Affiliated Competition Organisations may be present as observers at any general meeting in addition to their Delegates. Guests invited by the Executive Committee may also be present as observers. Observers may not address the meeting without the permission of the Chairperson.
 - (4) Non-members are not permitted to attend annual or general meetings of SQRCHDI. However eligibility for attendance at any other meetings and their benefits may be determined from time to time at a general meeting.
 - (5) Voting will be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there will be a secret ballot. The Chairperson will appoint two members to conduct the secret ballot in such manner as he/she determines and the result of the ballot as declared by the Chairperson will be deemed to be the resolution of the meeting at which the ballot was demanded.
 - (6) A member may vote in person or by proxy and on a show of hands every person present who is a member or a representative of a member and entitled to vote, will have one vote. In a secret ballot every member, present in person or by proxy, will have one vote.
 - (7) The instrument appointing a proxy must be in writing, in the common or usual form, under the hand of the appointor. A proxy must be a member of SQRCHDI. The instrument appointing a proxy will be deemed to confer authority to demand or join in demanding a secret ballot.
 - (8) Where it is desired to afford members an opportunity of voting for or against a resolution, the instrument appointing a proxy must be in the following form or a form as near as possible as circumstances permit:-

SQRCHDI:

I, _____ of _____, being a member of the abovenamed SQRCHDI, hereby appoint _____ of _____ or failing him/her, _____ of _____, as my proxy to vote for me on my behalf at the annual/general/extraordinary meeting of SQRCHDI, to be held on the _____ day of _____, and at any adjournment thereof.

Signed this _____ day of _____

Signature

This form is to be used
 *in favour of the resolution/s
 *against the resolution/s
 *as he/she thinks fit

If specific instructions are to be issued by the member, these must be listed in full.

*Strike out whichever is not desired

- (9) The instrument appointing a proxy must be received by the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (10) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings are recorded.

To ensure the accuracy of the minutes:

- (a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
- (b) the minutes of each Annual General Meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of SQRCHDI that is a general meeting or Annual General Meeting, verifying their accuracy.
- (11) If asked by a member of SQRCHDI, the Secretary must, within twenty-eight (28) days after the request is made:
- (a) make the record for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
- (b) give the member copies of the minutes of the meeting.
- (c) SQRCHDI may require the member to pay the reasonable costs of providing hard copies of the minutes.

ALTERATION OF RULES

22. (1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the Chief Executive.

23. A special resolution will be passed by a majority which comprises not less than three-fourths of vote entitlements present at the meeting at which the proposed action is taken, of which not less than thirty (30) days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with this Constitution.

BY-LAWS

24. A general meeting of SQRCHDI may from time to time make, amend or repeal by-laws, not inconsistent with these Rules, for the internal management of SQRCHDI and any by-law may be set aside by a general meeting of members.
25. (1) Subject to the provisions of the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by its Chief Executive.

COMMON SEAL

26. The Executive Committee must provide for a Common Seal and for its safe custody. The Common Seal must only be used by the Executive Committee on authority of a meeting of members and every instrument to which the seal is affixed must be signed by a member of the Executive Committee and countersigned by the Secretary or by a second member of the Executive Committee or by some other person appointed by the Executive Committee for the purpose.

FUNDS AND ACCOUNTS

27. (1) The financial year of SQRCHDI will close on 30 June in each year.
- (2) The funds of SQRCHDI must be banked in its name in such financial institution as the Executive Committee may from time to time arrange.
- (3) Proper books and accounts are to be kept and maintained either in written or electronic form (with printed copy). Records are to be in the English language and show correctly the financial affairs of SQRCHDI and the particulars usually shown in books of a like nature.
- (4) All moneys must be banked as soon as practicable after receipt.
- (5) All amounts must be paid by any of the following:-
- (a) cheque signed by any two of the president, secretary or treasurer;
 - (b) by Electronic Funds Transfer authorised by any two of the president, secretary or treasurer;
 - (c) by BPay authorised by any two of the president, secretary or treasurer.
- Approved signatories must not be members of the same family.
- (6) Cheques are to be crossed “not negotiable” with the exception of those cheques approved by the Committee.
- (7) All expenditure must be approved or ratified at a general meeting of members.

- (8) As soon as practicable after the end of each financial year ending 30 June the treasurer must prepare a statement containing particulars of -
- (a) the income and expenditure for the financial year ended; and
 - (b) the assets, liabilities, all mortgages, charges and securities affecting the property of SQRCHDI at the close of that year.
- (9) All such statements must be examined by the auditor who will present his/her report to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.
- (10) The income and property of SQRCHDI however derived must only be used in promotion of its objects and in the exercise of its powers as set out herein. No portion thereof is to be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of SQRCHDI. This excludes moneys owed to any member of SQRCHDI or other person in return for services rendered, out of pocket expenses or any other charges incurred by SQRCHDI.

INSURANCE

28. SQRCHDI will effect and maintain with an approved insurer such insurance against a liability of SQRCHDI as may be required by the Regulations, for a cover of not less than the amount required by the Regulations.
29. In addition to the insurance required under clause 28, SQRCHDI may effect and maintain other insurance.

DOCUMENTS

30. The Executive Committee must provide for the safe custody of books, documents, instruments of title and securities of SQRCHDI.

DISTRIBUTION OF SURPLUS ASSETS

31. This rule applies if SQRCHDI:
- (a) is wound-up under Part 10 of the Act; and
 - (b) has surplus assets.
32. The surplus assets must not be distributed among the members of SQRCHDI.
33. The surplus assets must be given to another entity:
- (a) having objects similar to SQRCHDI's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
34. In this rule – surplus assets see section 92(3) of the Act.

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BY-LAWS

1. Teacher Progression Forum

By resolution of SQRCHDI 20.9.07 all young or inexperienced Teachers (affiliated or otherwise) and dancers 16 years of age and over who are under tuition with registered teacher members of SQRCHDI may attend these meetings. It should be noted that only affiliated members would be entitled to receive minutes

2. Code of Ethics for Highland Dancing Teachers

- (a) A Teacher's responsibility is to provide a safe and healthy environment by ensuring that facilities conform to minimum safety and space requirements. Suitable, safe flooring, sufficient lighting should be provided as well as an appropriate sound system.
- (b) A Teacher should clearly define the goals to be achieved including the number of lessons suggested to achieve them. This is in order to meet the students needs and expectations.
- (c) Physical contact should be professional and appropriate at all times during instruction, particularly in respect to correction of the body in certain positions and movements.
- (d) All Teachers should possess the experience, knowledge and qualifications as required to instruct at each dance level defined in the RSOBHD constitution.
- (e) A Teacher should keep abreast of new developments and practices in the highland dancing industry in order to provide the highest quality dance instruction and education.
- (f) A Teacher should never solicit business from another Teacher or studio.
- (g) There should never be any discrimination based on race, creed, colour, gender, sexual orientation, age, physical handicap or nationality.
- (h) All Teachers should maintain a professional appearance by avoiding all forms of substance abuse whilst teaching and not smoking in inappropriate circumstances.
- (i) A Teacher should use appropriate speech and be suitably attired for lessons.
- (j) A Teacher using visiting coaches should supply these coaches with the SQRCHDI Code of Ethics.
- (k) Pupils who are transferring from another studio should be encouraged to complete the Dancer Transfer Form.
- (l) All dance studios should have a Risk Management Strategy and Incident Report Form available for distribution. A copy of the strategy should be held by the Executive of the SQRCHDI to ensure that legislative requirements are met.
- (m) A Teacher should ensure that they have the appropriate insurances in place.
- (n) All Teachers are required to ensure all Blue Card requirements are met for their parents and volunteers

3. Blue Cards and Risk Management Strategy

All persons resident in Queensland "providing services" to dancers under the age of 18 years must hold a Blue Card in either the professional or volunteer categories.

Exceptions to the above are:

- (a) Parents whose children under the age of 18 years are participating in the event
- (b) Teachers holding a current registration with the Education Department who provide an Exemption Card
- (c) Police Officers who provide an Exemption Card.

The definition of “providing services” includes, but is not limited to

- (a) Teaching, Judging or Examining Highland Dancing on a regular basis
- (b) Working at Dancing Competitions registered by SQRCHDI
- (c) Working or assisting at any event conducted by SQRCHDI where children under the age of 18 years are involved.

All Affiliated Associations, Competition Organisers and Teachers are to provide SQRCHDI with an updated Risk Management Strategy each year and in accordance with the guidelines of the *Commission for Children and Young People and Child Guardian Act 2000* and the *Commission for Children and Young People and Child Guardian Regulation 2001*.

4. Grievance Management

SQRCHDI will follow the complaint procedure as adopted by ABHDI.